DATE Upril 13, 2015
ALISON LUNDERGAN GRIMES SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY By Kandie Calinson

CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Pineville, Kentucky, and the following __two__ pages of an unnumbered ordinance, is a true, correct, and complete copy duly adopted by the City Commission at a duly convened meeting held on August 29, 2013, all as appears in the official records of said City.

WITNESS, my Hand and Seal, this $_$

day of

(Seal)

ORDINANCE	NO.		

ORDINANCE TO ANNEX UNINCORPORATED REAL PROPERTY IN THE AREA OF TURKEY CREEK

WHEREAS, a certain owner of real property in TURKEY CREEK has consented to the annexation of the real property and the City of Pineville intends to annex this real property; and

WHEREAS, the City of Pineville deems the annexation of this certain real property to be desirable and in the best interest of the City of Pineville; and

WHEREAS, it is necessary from time to time to extend the boundaries of the City for the benefit of the City by providing an opportunity for growth and development of the City; and

WHEREAS, the real property to be annexed is adjacent to and contiguous with the City's boundaries at this time; and

WHEREAS, by certain reasons, which includes subdivision of land, the real property is suitable for development without unreasonable delay; and

WHEREAS, no part of the real property to be annexed is included within the boundary of another incorporated city; and

WHEREAS, that at this time this is the only area that the City is annexing; and

WHEREAS, all the requirements of KRS 81A.410 have been met and all the real property owner's of record have consented to the annexation in writing fulfilling the requirements of KRS 81A.412, which consent is attached hereto and made a part hereof as if fully set forth herein as Exhibit "A", and consequently in order to properly and legally annex the subject real property under the laws of the Commonwealth, the City must only enact this Ordinance; and

NOW THEREFORE, BE IT ORDAINED, that the City of Pineville hereby enacts by Ordinance and adopts and establishes that the real property, which is more particularly described in Exhibit "B" is attached hereto and made a part hereof as if fully set forth herein, is hereby annexed and made a part of the City of Pineville, Kentucky.

ADDPTED this 29th day of August , 201	DOPTED this 29th day of	August	, 201	3,
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EXECUTED:	She	ruun	Kader	
	SHERWIN	RADER,	MAYOR	

Ma Hikens INA ROBBINS, CLERK

FIR	ST	RF	AD.	ING

BY: Patricia Bingham

DATE: August 12, 2013

SECOND READING

BY: David "Bo" Bush

DATE: August 29, 2013

CONSENT TO ANNEX

I, Edward T. Wilson, Registered Agent of Round Top Associates, LLC, of 9 Muirfield Place, Louisville, Kentucky, 40222. hereby give my consent to the City of Pineville, a Municipal Corporation, to annex the real property located in Bell County in the Turkey Creek area, and more particularly described in the attached Exhibit A, into the City of Pineville, Kentucky pursuant to KRS 81A.412. Further, I will sign any relevant annexation documents so that the said real property can be annexed into the City of Pineville, Kentucky.

I. W. Kon, Member
Edward T. Wilson
Registered Agent for Round Top Associates, LLC

STATE OF KENTUCKY

COUNTY OF JEFFERSON

)

The foregoing was subscribed, sworn to, and acknowledged before me by Edward T. Wilson, Registered Agent of Round Top Associates, LLC, on this Ass

NOTARÝ PUBLIC

My Commission Expires: ___

REGULAR COUNCIL MEETING

THE PINEVILLE CITY COUNCIL MET IN ITS REGULAR MONTHLY MEETING MONDAY, AUGUST 12, 2013 AT 6:00 P.M. IN THE COUNCIL CHAMBERS AT PINEVILLE CITY HALL. MAYOR RADER PRESIDED.

- ROLL CALL: Council Members present were Patricia Bingham, Bo Bush, Bruce Nunn, Terry Pannell and Billy Robbins. Councilman Tuck Woolum was absent.
- APPROVAL OF JULY 8TH, 9TH AND JULY 24TH MINUTES: A motion to approve the minutes was made by Bo Bush. Seconded by Billy Robbins. All votes "Aye".
- WEB-SITE PRESENTATION BRIAN O' BRIAN: Mr. O'Brian was not available to make the presentation; However, Mayor Rader stated that Mr. O'Brian and Jacob Roan had met and discussed the web site and it was her understanding that the cost would be \$100. per month until it was totally manned by the City. Bo Bush made a motion that if the cost was \$100 per month to go ahead and have it done. Seconded by Patricia Bingham. All votes "Aye".
- MAIN STREET UPDATE: Jacob Roan was not present as He was on his way to New York for the Jimmy Rose performance on Tuesday; However, He typed up a summary of things that were currently being discussed and plans for future events to be explained by the Mayor.
- CONSIDER KIA LOAN FOR AUTOMATED METER READING (WATER) AND APPROVE MAYOR TO SIGN ALL DOCUMENTS RELATING TO THE PROJECT: Mr. Bill Bunch explained in depth the benefits and savings by purchasing this system; Thereafter, a motion was made by Bo Bush to approve the project. Seconded by Billy Robbins. All votes "Aye".
- CONSIDER KIA FINANCING FOR THE VIRGINIA AVENUE UTILITY REPLACEMENT PROJECT (SEWER): Mr. Bill Bunch explained the project in detail and the funding sources. Also, this project will be done in phases because of the extreme cost of such project. A motion was then made by Bo Bush to approve the first phase and approve the Mayor to sign all documents related to this project. Seconded by Patricia Bingham. All votes "Aye".
- FIRST READING OF AN ORDINANCE TO ANNEX PINE MOUNTAIN STATE PARK. (THIS READING IS BEING REPEATED AS MAPS WERE NOT RECEIVED AND SUBMITTED IN TIME ALLOWED). A motion to approve the first reading was made by Bo Bush. Seconded by Patricia Bingham. All votes "Aye".
- FIRST READING OF AN ORDINANCE TO ANNEX UNINCORPORATED PROPERTY IN THE TURKEY CREEK AREA (ROUNDTOP PROPERTIES). Motion to approve the first reading was made by Patricia Bingham. Seconded by Billy Robbins. All votes "Aye".

MOTION TO ADJOURN: A motion was made by Bo Bush to adjourn. Seconded by Billy Robbins. All votes "Aye".

MAYOR: SHERWIN RADER

ATTEST: INA L. ROBBINS/CLERK/TREASURER

SPECIAL CALLED COUNCIL MEETING

THE PINEVILLE CITY COUNCIL MET IN A SPECIAL CALLED MEETING MONDAY, THURSDAY, AUGUST 29, 2013 AT 5:00 P.M. IN THE CONFERENCE ROOM AT PINEVILLE CITY HALL. MAYOR RADER PRESIDED.

ROLL CALL: Council Members present were David "Bo" Bush, Bruce Nunn, Terry Pannell and Billy Robbins. Council Members Patricia Bingham and Tuck Woolum were absent.

APPROVE THE SECOND READING OF THE ORDINANCE TO ANNEX UNINCORPORATED REAL PROPERTY IN THE AREA OF TURKEY CREEK (ROUND TOP PROPERTIES: A motion was made by David "Bo" Bush to approve the second reading. Motion seconded by Billy Robbins. All votes "Aye".

APPROVE THE SECOND READING OF THE ORDINANCE TO ANNEX UNINCORPORATED REAL PROPERTY OF THE PINE MOUNTAIN STATE RESORT PARK: A motion was made by David "Bo" Bush to approve the second reading of the ordinance to annex. Seconded by Billy Robbins. All votes "Aye".

MOTION TO ADJOURN: A motion was made by Bo Bush to adjourn. Seconded by Billy Robbins. All Votes "Aye".

MAYOR: SHERWIN RADE

INA L. ROBBINS, CLERK/TREASURER

Dean Surveying, Inc. 169 Dean Hill Road Pineville, Kentucky 40977 (606) 337-9264

Description

A certain parcel of land lying on the waters of Mile Branch, on the north side of Valley Road in Bell County, Kentucky and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as a "rod and cap" is a set 5/8"x18" rebar, with a yellow plastic cap stamped PLS 1850. All bearings are referred to the meridian of record from the Myers and Daugherty patent survey of June 15, 1798.

Beginning at a rod and cap at the end of Jackson Drive in the Round Top Subdivision, a corner between Round Top Associates, LLC (D.B. 319, p.579), Adams and Chappell heirs and Dave Pannell (D.B. 243, p.409);

thence with the south lines of Dave Pannell and John Rowland heirs (D.B. 258, p.160) S 70 degrees 12 minutes 43 seconds E, 1004.81 feet to a rod and cap approximately 15' east of a small drain; thence S 60 degrees 33 minutes 23 seconds E, 575.85 feet to a rod and cap, a corner between John Rowland heirs and Bill Engle (D.B. 199, p.320); thence with Bill Engle's line S 53 degrees 07 minutes 23 seconds E, 96.10 feet to a rod and cap;

thence S 49 degrees 38 minutes 19 seconds E, 100.00 feet to a "x" on a rock ledge;

thence S 46 degrees 49 minutes 21 seconds E, 100.00 feet to a rod and cap;

thence S 43 degrees 54 minutes 46 seconds E, 99.23 feet to a rod and cap;

thence S 40 degrees 36 minutes 02 seconds E, 100.77 feet to a rod and cap;

thence S 47 degrees 32 minutes 12 seconds W, 90.00 feet to a rod and cap;

thence S 32 degrees 34 minutes 45 seconds E, 100.00 feet to a rod and cap;

thence S 33 degrees 51 minutes 13 seconds E, 86.81 feet to a rod and cap in a drain;

thence down the drain N 56 degrees 52 minutes 48 seconds E, 53.15 feet;

N 34 degrees 17 minutes 04 seconds E, 155.28 feet;

N 43 degrees 58 minutes 21 seconds E, 90.49 feet;

N 39 degrees 48 minutes 06 seconds E, 94.95 feet;

N 35 degrees 05 minutes 39 seconds E, 111.56 feet to a right-of-way monument in the south right-of-way of U.S. 25E:

thence with said right-of-way S 12 degrees 45 minutes 46 seconds E, 361.66 feet to a right-of-way monument;

S 56 degrees 22 minutes 16 seconds E, 485.71 feet to a right-of-way monument;

S 53 degrees 14 minutes 09 seconds E, 390.56 feet to a right-of-way monument, a corner of Hugh Delk (D.B. 216, p.207);

thence with Hugh Delk's line S 22 degrees 42 minutes 03 seconds W, 60.22 feet to a rod and cap;

thence S 19 degrees 56 minutes 57 seconds W, 92.61 feet to a rod and cap;

thence S 01 degrees 37 minutes 58 seconds W, 168.15 feet to a rod and cap, a corner between Hugh Delk, Johnny Bowling (D.B. 263, p.636) and the west line of the City of Pineville, Kentucky;

thence with Johnny Bowling's line and the City of Pineville S 06 degrees 57 minutes 53 seconds E, 352.00 feet to an existing iron pipe at the base of a 36" Black Oak stump, a corner between Johnny Bowling, Rosemary Combs (D.B. 167, p.525) and on the west line of the City of Pineville:

thence S 28 degrees 17 minutes 56 seconds E, 315.31 feet to a rod and cap on the north side of Valley Road, a corner between Rosemary Combs and the City of Pineville;

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thence leaving the lines of Rosemary Combs and the City of Pineville and running with
the north side of Valley Road and the south side of Round Top Associates, LLC (D.B.
340, p.317); S 50 degrees 28 minutes 02 seconds W, 136.39 feet to a rod and cap;
thence S 48 degrees 45 minutes 57 seconds W, 68.63 feet;
thence S 56 degrees 52 minutes 59 seconds W, 49.12 feet:
thence S 61 degrees 45 minutes 50 seconds W, 47.57 feet;
thence S 65 degrees 18 minutes 53 seconds W, 51.13 feet;
thence S 65 degrees 46 minutes 32 seconds W, 103.51 feet;
thence S 58 degrees 34 minutes 01 seconds W, 79.82 feet to a rod and cap;
thence S 37 degrees 34 minutes 03 seconds W, 77.86 feet;
thence S 38 degrees 14 minutes 25 seconds W, 75.42 feet to a rod and cap;
thence S 36 degrees 59 minutes 54 seconds W, 90.01 feet;
thence S 49 degrees 31 minutes 26 seconds W, 62.24 feet to a rod and cap;
thence S 46 degrees 09 minutes 18 seconds W, 80.21 feet;
thence S 54 degrees 23 minutes 13 seconds W, 70.16 feet to a rod and cap;
thence S 45 degrees 17 minutes 04 seconds W, 52.14 feet;
thence S 61 degrees 06 minutes 20 seconds W, 97.37 feet to a rod and cap;
thence S 63 degrees 59 minutes 35 seconds W, 98.58 feet;
thence S 69 degrees 04 minutes 32 seconds W, 85.87 feet;
thence S 68 degrees 15 minutes 51 seconds W, 132.29 feet to a rod and cap;
thence S 47 degrees 26 minutes 15 seconds W, 97.04 feet;
thence S 38 degrees 51 minutes 06 seconds W, 127.20 feet;
thence S 45 degrees 00 minutes 02 seconds W, 58.82 feet;
thence S 51 degrees 52 minutes 46 seconds W, 31.03 feet;
thence S 57 degrees 02 minutes 22 seconds W, 59.89 feet to a rod and cap;
thence S 56 degrees 00 minutes 33 seconds W, 212.47 feet to a rod and cap;
thence S 49 degrees 44 minutes 48 seconds W, 28.79 feet;
thence S 57 degrees 53 minutes 43 seconds W, 162.40 feet;
thence S 66 degrees 20 minutes 45 seconds W, 31.33 feet;
thence S 57 degrees 33 minutes 19 seconds W, 17.50 feet to a rod and cap in Mile
Branch:
thence continuing with the road and up Mile Branch S 55 degrees 29 minutes 48 seconds
W, 143.83 feet;
thence S 65 degrees 12 minutes 15 seconds W, 93.97 feet;
thence N 79 degrees 54 minutes 48 seconds W, 30.87 feet to a rod and cap in Mile
Branch:
thence leaving the road and continuing up Mile Branch and with the lines of Round Top
Associates, LLC (D.B. 319, p.579), Charles Abner (D.B. 278, p.645) and Thea Abner
(D.B. 255, p.693) N 85 degrees 39 minutes 29 seconds W, 79.60 feet;
S 78 degrees 00 minutes 58 seconds W, 197.76 feet;
S 41 degrees 21 minutes 27 seconds W, 38.95 feet;
S 77 degrees 49 minutes 58 seconds W, 226.26 feet;
S 46 degrees 45 minutes 30 seconds W, 44.20 feet;
S 70 degrees 17 minutes 53 seconds W, 67.56 feet;
thence continuing up the branch with the lines of Sammie R. Rader (D.B. 230, p.495) N
89 degrees 43 minutes 12 seconds W, 235.12 feet;
S 87 degrees 31 minutes 32 seconds W, 106.54 feet;
N 05 degrees 24 minutes 35 seconds W, 36.56 feet;
N 40 degrees 46 minutes 59 seconds W, 29.78 feet;
N 78 degrees 34 minutes 50 seconds W, 23.63 feet;
S 70 degrees 37 minutes 27 seconds W, 64.50 feet;
S 61 degrees 29 minutes 51 seconds W, 83.73 feet;
S 13 degrees 43 minutes 41 seconds W, 37.14 feet;
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S 57 degrees 46 minutes 17 seconds W, 45.61 feet;
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- S 12 degrees 52 minutes 30 seconds W, 29.25 feet;
- S 59 degrees 31 minutes 57 seconds W, 43.82 feet;
- S 75 degrees 03 minutes 43 seconds W, 42.56 feet;

thence continuing up the branch with the lines of Robert Burger (D.B. 242, p.224) N 74 degrees 02 minutes 09 seconds W, 46.20 feet;

- S 62 degrees 07 minutes 36 seconds W, 95.09 feet;
- N 44 degrees 16 minutes 33 seconds W, 32.80 feet;
- N 83 degrees 08 minutes 14 seconds W, 66.19 feet;
- S 68 degrees 32 minutes 52 seconds W, 27.43 feet;
- S 74 degrees 15 minutes 22 seconds W, 75.35 feet;
- S 81 degrees 26 minutes 57 seconds W, 53.81 feet to a "x" on a large rock at the forks of the branch;

thence up the right fork and continuing with Robert Burger N 79 degrees 19 minutes 18 seconds W, 80.74 feet;

- S 86 degrees 50 minutes 15 seconds W, 47.95 feet;
- N 79 degrees 21 minutes 33 seconds W, 93.88 feet to a rod and cap:
- S 78 degrees 07 minutes 02 seconds W, 129.35 feet;
- S 53 degrees 44 minutes 01 seconds W, 45.24 feet;
- S 71 degrees 13 minutes 11 seconds W, 87.17 feet;
- S 57 degrees 06 minutes 46 seconds W, 34.23 feet;
- S 58 degrees 37 minutes 31 seconds W, 63.67 feet;
- S 73 degrees 55 minutes 11 seconds W, 81.72 feet;
- S 64 degrees 36 minutes 48 seconds W, 95.93 feet to a rod and cap;
- N 68 degrees 54 minutes 34 seconds W, 149.33 feet to a rod and cap;
- S 77 degrees 15 minutes 10 seconds W, 39.85 feet to a rod and cap;
- N 71 degrees 16 minutes 37 seconds W, 67.66 feet to a rod and cap in the branch on the Myers and Daugherty line and line of John Renfro (D.B. 4, p.403);

thence with said line N 42 degrees 45 minutes 00 seconds W, 279.17 feet to a rod and cap, a corner between Round Top Associates, LLC and Margaret Adams heirs and Fred Chappell heirs;

thence with Adams and Chappell line N 22 degrees 19 minutes 29 seconds E, 4595.19 feet to the beginning, containing 289.18 acres, more or less, according to surveys completed in April 2003 and March 2007 by J.D. Dean PLS #1850, and being all of the Round Top Associates, LLC property which is recorded in Deed Book 319, page 579 and Deed Book 340, page 317 in the office of the Bell County Court Clerk.

d. D. Dean 1725#1850 6-28-13

AND THE PROPERTY OF THE PARTY O CERTIFICATION THEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT LEGEND METHOD OF RANDOM TRAVERSE WITH SIDESHOTS. THE UMADJUSTED PRECISION RATIO OF THE TRAVERSE WAS 1:15740 AND WAS NOT ADJUSTED. THE SURVEY AS SHOWN HEREON IS A CLASS "A" SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS. 5/8° X 18° REBAR SET WITH PLASTIC CAP STAMPED PLS 1850 EXISTING IRON ROD RIGHT-OF-WAY MONUMENT 1. Dean PLS 41850 6-27-13 J.D. DEAN P.L.S. \$1850 DATE MEANDER POINT "X" ON ROCK WARGARET ADAMS HEIRS AND FRED CHAPPELL HEIRS JOHN RENFRO ESTATE NYERS AND DAUGHERTY PATENT LINE ROUND TOP ASSOCIATES, LLC D.B.319, P.579 D.B.340, P.317 289.18 ACRES

NOTE: MERIDIAN OF RECORD FROM MYERS AND DAUGHERTY PATENT LINE, SURVEYED JUNE 15, 1798

NOTE: THE PROPERTY OF ROBERT MASON AND ROSEMARY COMBS (D.B.167, P.525) WAS ANNEXED TO THE CITY OF

LINE L1 CERTIFICATION NOTE: MERIDIAN OF RECORD FROM S 53'07'23' E MYERS AND DAUGHERTY BY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT L 2 S 49'38'19' E IE BY PERSONS UNDER MY DIRECT SUPERVISION BY THE PATENT LINE, SURVEYED L3 OF RANDOM TRAVERSE WITH SIDESHOTS. THE JUNE 15, 1798 TED PRECISION RATIO OF THE TRAVERSE WAS 1:15740 L5 ; NOT ADJUSTED. THE SURVEY AS SHOWN HEREON IS A L6 'A" SURVEY AND THE ACCURACY AND PRECISION OF SAID L7 MEETS ALL THE SPECIFICATIONS OF THIS CLASS. L8 DAVE PANNELL Dean PLS #1850 6-27-13 P.L.S. \$1850 DATE D.B.243.P.409 L9 L10 L 1 2 L13 L14 ARET ADAMS HEIRS AND FRED CHAPPELL HEIRS L16 L17 L18 L19 L20 L21 L 2 2 L23 L 2 4 JOHN ROWLAND HEIRS L25 D.B.258, P.160 L26 L27 L28 L29 L30 L31 L32 L33 L34 L35 L36 L37 L38 L39 L40 L41 L42 L44 L45 ROUND TOP ASSOCIATES, LLC L46 D.B.319, P.579 L47 D.B.340, P.317 L48 BILL ENGLE L49 289.18 ACRES D.B.199, P.320 L50 L51 L52 L53 L54 L55 L56 L57 L59 L60 L61 L63 L64

NOTE: THE PROPERTY OF ROBERT MASON AND ROSEMARY COMBS

(D.B.167, P.525) WAS ANNEXED TO THE CITY OF

S 46'49'21" E 100.00 S 43'54'46' E 99.23 S 40'36'02" E 100.77 S 47'32'12" W 90.00 S 32°34'45° E 100.00 S 33'51'13' E 86.81 N 56'52'48' E 53.15 N 34'17'04" E 155.28 N 43'58'21" E 90.49 N 39'48'06' E 94.95 N 35°05'39° E 111.56 S 22'42'03' W 60.22 S 19'56'57" W 92.61 S 1'37'58' W 168.15 N 85'39'29" W 79.60 S 78'00'58" W 197.76 S 41'21'27" W 38.95 S 77'49'58" W 226.26 S 46'45'30" W 44.20 S 70'17'53" W 67.56 N 89'43'12" W 235.12 S 87°31'32° W 106.54 N 5'24'35" W 36.56 N 40'46'59" W 29.78 N 78'34'50" W 23.63 \$ 70'37'27' ¥ 64.50 S 61'29'51" W 83.73 S 13'43'41" W 37.14 S 57'46'17" W 45.61 S 12'52'30' W 29.25 S 59'31'57" W 43.82 S 75'03'43" W 42.56 N 74"02"09" W 46.20 S 62'07'36" W 95.09 N 44'16'33" W 32.80 N 83'08'14" W 66.19 S 68'32'52" W 27.43 S 74'15'22" W 75.35 S 81'26'57" W 53.81 N 79'19'18" W 80.74 S 86'50'15" W 47.95 N 79'21'33' W 93.88 S 78'07'02' W 129.35 S 53'44'01" W 45.24 S 71'13'11' W 87.17 S 57'06'46" W 34.23 S 58'37'31' W 63.67 S 73'55'11" W 81.72 S 64'36'48' W 95.93 N 68'54'34" W 149.33 S 77'15'10" W 39.85 N 71'16'37" W 67.66 N 42'45'00' W 279.17 S 28'17'56" E 315.31 S 50'28'02" W 136.39 S 48'45'57" ¥ 68.63 S 56'52'59" W 49.12 S 61'45'50" Y 47.57 S 65'18'53' W 51.13 S 65'46'32" W 103.51 S 58'34'01" W 79.82 S 37'34'03' W 77.86 S 38'14'25" W L65 75.42 S 36'59'54" Y 90.01 S 49'31'26" W 62.24 L68 S 46'09'18" ¥ 80,21 L69 S 54'23'13" W 70.16 L70 S 45'17'04" W 52.14

BEARING

DISTANCE

96.10

100.00



